

Message Text

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PAGE 01 STATE 112862

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ORIGIN L-03

INFO OCT-01 CCO-00 RSC-01 SS-20 SSO-00 ISO-00 OMB-01

TAR-02 SP-03 SWF-02 AGR-20 AID-20 CIAE-00 COME-00

EB-11 INR-10 IO-14 LAB-06 NSAE-00 OIC-04 SIL-01

STR-08 TRSE-00 CIEP-02 CEA-02 AF-10 ARA-16 EA-11

EUR-25 NEA-14 NSC-07 NSCE-00 INRE-00 USIE-00 /214 R

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DRAFTED BY: L/SMSCHWEBEL:CDJ

APPROVED BY: EB/GCP:JO'MAHONY

ARA/MEX:RKING

EB/OT/GCP:RPRICKETT

IO/CMD:MBGREENE

TREASURY:MBRADFIELD (SUBS)

ARA:JKUBISCH

S/S-MR LUERS

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FM SECSTATE WASHDC

TO USMISSION GENEVA IMMEDIATE

AMEMBASSY MEXICO

INFO AMCONSUL JERUSALEM IMMEDIATE

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PAGE 02 STATE 112862

SUBJ: UNCTAD CHARTER OF ECONOMIC RIGHTS AND DUTIES

REFS: (A) GENEVA 3102 (B) GENEVA 3120 (C) STATE 106515
(D) STATE 110596

1. AMB GONZALEZ GALVEZ, WHO REPRESENTS MEXICO IN UNCTAD WORKING GROUP ON CHARTER, AND THREE ASSOCIATES CAME TO WASHINGTON MAY 24 AND PRESENTED THE GROUP OF EIGHT-CASTANEDA PROPOSALS SET OUT REFTEL (A) (EXCEPT THAT THEY OMITTED TO PRESENT PROPOSAL ENDORSING PRODUCER CARTELS).

2. SEVEN HOURS OF DETAILED DISCUSSIONS WERE CORDIAL AND CONSTRUCTIVE BUT MANIFESTED ONLY MODEST MOVEMENT TOWARDS MTG OF MINDS. ON MOST OF DIFFICULT ISSUES, SUCH AS NATIONALIZATION, GULF REMAINS. DEPT AND TREASURY REPS PRESENTED U.S. VIEWS AS OUTLINED REFTEL (D), EMPHASIZING (A) NEED TO SPECIFY APPLICABILITY OF INTERNATIONAL LAW TO NATIONALIZATION AND CONTROL OF MNCS; (B) POLITICAL AND LEGAL PROBLEMS WITH STATEMENT OF OBLIGATIONS OF INDUSTRIALIZED COUNTRIES TO ADJUST NATIONAL ECONOMIES TO LDC NEEDS; (C) NEED TO AVOID IMPLIED CRITICISM OF STRUCTURE OF C-20 OR OF WEIGHTED VOTING IN IMF AND IBRD; AND (D) PROBLEMS WITH ATTEMPTING TO STATE LEGAL DUTY TO ASSIST LDCS.

ON DEPARTING, GONZALEZ GALVEZ EXPRESSED CONCERN THAT SO MANY ISSUES REMAIN UNRESOLVED, DESPITE MEXICAN EFFORTS TO PRODUCE WHAT GOM VIEWS AS CONCILIATORY TEXTS. AT SAME TIME, HE RECOGNIZED THAT IN SOME KEY RESPECTS THESE LATEST MEXICAN PROPOSALS DID LITTLE TO MEET POSITIONS OF U-S. AND OTHER INDUSTRIALIZED COUNTRIES AND THAT IN SOME RESPECTS PROGRESS TOWARDS AGREEMENT AT PREVIOUS MTGS OF UNCTAD WORKING GROUP WAS PROPOSED TO BE JETTISONED. REASON GIVEN WAS THAT MEXICO AND OTHER LDCS FELT OBLIGED TO TAKE ACCOUNT OF RESOLUTIONS ADOPTED BY SIXTH SPECIAL SESSION OF UNGA.

3. DEPT MADE CLEAR THAT ISSUES OF CHARTER WOULD HAVE TO BE DEALT WITH ON THEIR MERITS AND THAT SIXTH SPECIAL SESSION RESOLUTIONS COULD NOT BE TREATED AS PREJUDICIAL, STILL LESS DISPOSITIVE. WE NOTED IN GENERAL TERMS OUR OBJECTIONS BOTH TO SUBSTANCE OF THOSE RESOLUTIONS AND PROCEDURES OF STEAMROLLING THEIR ADOPTION.
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PAGE 03 STATE 112862

4. WE RENEWED USG ASSURANCES THAT WE WOULD MAKE EVERY EFFORT TO ARRIVE AT A GENERALLY AGREED CHARTER, WHOSE TERMS WOULD BE BALANCED AND TAKEN SERIOUSLY BY ALL STATES. WE EMPHASIZED THAT IT WOULD BE OF NO BENEFIT TO ADOPT A CHARTER WHICH INDUSTRIALIZED STATES WOULD IMMEDIATELY RENOUNCE, AS THEY HAD RESOLUTIONS OF SIXTH SPECIAL SESSION- WE INDICATED THAT, WHILE WE ARE OPENMINDED ON

SUBSTANCE AND FLEXIBLE ON TERMINOLOGY, WE WOULD NOT
AGREE FOR SAKE OF AGREEMENT TO A CHARTER WHOSE PROVISIONS
DO NOT COMPORT WITH SUBSTANTIAL INTERESTS OF U.S.

5. GONZALEZ GALVEZ STATED THAT FONSEC RABASA PLANNED
TO TELEPHONE SEC KISSINGER ON HIS RETURN TO ARRANGE
BILATERAL CONSULTATIONS ON UNCTAD CHARTER BEFORE WORKING
GROUP CONVENES JUNE 10. BROWN

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